

MEETING MINUTES
Board of Alcohol and Drug Counseling
October 9, 2014

These minutes were
approved by the Board on
January 8, 2015.

1. ROLL CALL

The meeting of the Board of Alcohol and Drug Counseling was called to order by Natasha Robinson, Chair, at 9:09 a.m., in Lower Level Room D, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law.

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| Members Present: | Christine Chasek | - | Vice-Chair |
| | Chris Lewis | - | Member |
| | William Mulligan | - | Member |
| | Alfredo Ramirez | - | Member |
| | Natasha Robinson | - | Chair |

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| Members Absent: | Jason Conrad | - | Secretary |
| | Marlene Schneider | - | Member |
| | Barry Walker | - | Member |

Staff Present:

- Ed Vierk, Assistant Attorney General
- Kris Chiles, Licensure Unit
- Nancy Herdman, Licensure Unit
- Larry Wiehn, Investigator
- Kathy Krueger, Investigator
- Barb Remmers, Investigator

2. ADOPTION OF AGENDA

MOTION: Chasek moved, seconded by Mulligan, to approve the agenda. A roll call vote was taken. Voting aye: Chasek, Lewis, Mulligan, Ramirez, Robinson (5). Voting nay: None (0). Absent: Conrad, Schneider, Walker (3). Motion carried.

3. APPROVAL OF MINUTES (7-10-14)

MOTION: Mulligan moved, seconded by Lewis, to approve the minutes of 7-10-14. A roll call vote was taken. Voting aye: Chasek, Lewis, Mulligan, Ramirez, Robinson (5). Voting nay: None (0). Absent: Conrad, Schneider, Walker (3). Abstain: None (0). Motion carried.

4. INVESTIGATIVE REPORTS/COMPLIANCE MONITORING AND APPLICANT CONVICTION/SENSITIVE INFORMATION – CLOSED SESSION

MOTION: Lewis moved, seconded by Mulligan, to enter into closed session at 9:11 a.m. to hear discussions of investigative reports, and for the prevention of needless injury to the reputations of the individuals. A roll call vote was taken. Voting aye: Chasek, Lewis, Mulligan, Ramirez, Robinson (5). Voting nay: None (0). Abstain: None (0). Absent: Conrad, Schneider, Walker (3). Motion carried.

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| 9:25 a.m. | - | Wiehn departed meeting |
| 9:32 a.m. | - | Krueger departed meeting |
| 10:05 a.m. | - | Ramirez departed meeting |
| 10:10 a.m. | - | Ramirez entered meeting |
| 10:15 a.m. | - | Break |
| | | Remmers out |
| 10:28 a.m. | - | Meeting resumed |

MOTION: Chasek moved, seconded by Lewis, to return to open session at 10:47 a.m. A roll call vote was taken. Voting aye: Chasek, Lewis, Mulligan, Ramirez, Robinson (5). Voting nay: (0). Absent: Conrad, Schneider, Walker (3). Motion carried.

5. APPLICATION REVIEWS: PLADC AND LADC – OPEN SESSION

a. APPLICATIONS/REINSTATEMENTS

Amy Bogosian

Application Summary: Conviction review.

MOTION: Chasek moved, seconded by Lewis, to recommend issuance of the PLADC license with no terms or conditions. A roll call vote was taken. Voting aye: Chasek, Lewis, Mulligan, Ramirez, Robinson (5). Voting nay: None (0). Absent: Conrad, Schneider, Walker (3). Abstain: None (0). Motion carried.

Kristi Eggert

Application Summary: Conviction review.

MOTION: Chasek moved, seconded by Lewis, to recommend issuance of the PLADC license with no terms or conditions. A roll call vote was taken. Voting aye: Chasek, Lewis, Mulligan, Ramirez, Robinson (5). Voting nay: None (0). Absent: Conrad, Schneider, Walker (3). Abstain: None (0). Motion carried.

Sarah Jackson

Application Summary: Conviction review.

MOTION: Lewis moved, seconded by Chasek, to recommend issuance of the PLADC license with no terms or conditions. A roll call vote was taken. Voting aye: Chasek, Lewis, Mulligan, Ramirez, Robinson (5). Voting nay: None (0). Absent: Conrad, Schneider, Walker (3). Abstain: None (0). Motion carried.

Sheryl Wedel

Application Summary: Conviction review.

MOTION: Chasek moved, seconded by Mulligan, to recommend issuance of the PLADC license with no terms or conditions. A roll call vote was taken. Voting aye: Chasek, Lewis, Mulligan, Ramirez, Robinson (5). Voting nay: None (0). Absent: Conrad, Schneider, Walker (3). Abstain: None (0). Motion carried.

Kimberly Yunker

Application Summary: Conviction review.

MOTION: Lewis moved, seconded by Mulligan, to recommend issuance of the PLADC license with no terms or conditions. A roll call vote was taken. Voting aye: Chasek, Lewis, Mulligan, Ramirez, Robinson (5). Voting nay: None (0). Absent: Conrad, Schneider, Walker (3). Abstain: None (0). Motion carried.

Heather Obara

MOTION: Lewis moved, seconded by Chasek, to recommend deferral of the PLADC application and request additional information. A roll call vote was taken. Voting aye: Chasek, Lewis, Mulligan, Ramirez, Robinson (5). Voting nay: None (0). Absent: Conrad, Schneider, Walker (3). Abstain: None (0). Motion carried.

Marvin Chauza

MOTION: Lewis moved, seconded by Chasek, to approve Chauza's bachelor degree in Human Relations as meeting a bachelor's degree with a major in counseling, addiction, social work, sociology, or psychology that may be substituted for 2,000 hours of work experience. A roll call vote was taken. Voting aye: Chasek, Lewis, Mulligan, Ramirez, Robinson (5). Voting nay: None (0). Absent: Conrad, Schneider, Walker (3). Abstain: None (0). Motion carried.

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| 10:56 a.m. | - | Vierk departed meeting |
| 10:57 a.m. | - | Roger Brink, Department attorney, entered meeting |

6. UPDATES/REPORTS

- **Mental Health Practice Regulations (172 NAC 94)**

Chiles reported that the mental health regulation's public hearing was held on 9-18-14. She stated 21 individuals testified and 20 requested to include gender identity in the regulations under the discrimination section of unprofessional conduct. Chiles also stated that the Department received over 400 written comments supporting including gender identity in the regulations. As background, Chiles reported the Director/Chief Medical Officer had met with the Mental Health Practice Board in July and indicated that leaving gender identity in the regulations could be a roadblock to moving the regulations forward because that term was not in any other regulations or statutes. The Mental Health Practice Board then voted to remove gender identity from the language of the regulations.

Chiles reported that public comment also included an objection to having a list or directory as a method of referral and an educational provider asked that there be a 2 year transition period for implementing the increased education requirements. She stated that after the Mental Health Practice Board after reviewed public comment, they voted to include gender identity in the section relating to discrimination, leave the referral section as it was, and allow a 2 year transition period for the education. Chiles reported the Board of Health approved the regulations as revised and the next step was review by the Director/Chief Medical Officer. Brink reported that he was aware that the documents had been given to the Director/Chief Medical Officer but he did not know if he had yet had time to review them.

11:20 a.m. - Ramirez departed meeting

Chiles reported the Psychology regulations were also still in process and had not moved forward.

Lewis asked if anything else had been heard from the gambling individuals who presented to the Board in the past. It was discussed that gambling credentialing was now under the Department of Revenue and there had been no other contact with this Board.

11:27 a.m. - Ramirez entered meeting

- **Alcohol and Drug Counseling Regulations (172 NAC 15)**

Chiles commented that perhaps it was time to look at updating the alcohol/drug regulations. She stated the regulations format has changed in that they contain only language that is not statutory, thus not repeating language already in statute. Further a separate document would be prepared to set out the procedures and documents required to apply for a license/reinstatement, etc. Brink commented he thought a separate procedure document was a good idea because there are other statutes that affect licensing, such as being legally present, which makes change easier when that information is in a procedure document.

Chiles reported time to review regulations would be placed on the next agenda and she would send out the draft regulations in the new format prior to the meeting.

- **Justice Behavioral Health Committee**

Walker, the Board representative on the Committee, was not present and there was no report. Chasek commented that since she had been on the Board, no report had been presented on this Committee and she felt it was important to have that information. The Board discussed that it would be good if another person from the Board could attend. Chasek volunteered to attend.

- **Disciplinary/Non-Disciplinary Action Report**

Chiles reported the following disciplinary/non-disciplinary actions since the last meeting:

Frank Bailey – Assurance of Compliance on 9-26-14
Lori Duncan – Probation 7-12-14 to 7-12-17
Joseph Lange – Probation 7-24-14 to 7-24-19
Marcus Polk – Probation 7-29-14 to 7-29-16
Kim Rech – Voluntary Surrender 8-4-14

- **Licensure, Examination Statistics & Administrative Fees**

Chiles reported the following for the time period since the last meeting:

1. 13 individuals took and passed the written examination.
2. The following number of active licensed counselors:

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| LADC | 641 |
| PLADC | 352 |

Chiles stated now that renewal was completed that audits would be done. She indicated she would e-mail the Board the number who did not renew or chose inactive status.

7. NEW BUSINESS

a. Correspondence

Chiles distributed the current Conviction Review Guidelines and asked the Board to review it and bring back any suggestions for changes to the next meeting. She commented that there have been applications reviewed by the Board (per the guidelines) that based on decisions the Board made that perhaps they would not need to be forwarded to the Board if the Guidelines were revised.

Herdman distributed Verification of Supervised Practical Training forms for two individuals who had more than 8 performance hours in one day. The Board had asked to receive copies of forms that showed more than 8 hours of performance per day to assist them as they consider revising the regulations in terms of the number of performance hours that may be complete in one day.

b. IC&RC Standards Proposal

Herdman reviewed with the Board the changes IC&RC is considering for the ADC credential which Nebraska, as an IC&RC member, must adhere to for the LADC level. She had participated in an IC&RC conference call where the standards were discussed. IC&RC stressed the proposed standards were being put out for feedback only and there was no immediate intent to pass new IC&RC ADC standards

The proposed standards are:

Degree: Bachelor's

Training/education: 315 hours

- Minimum of 20 hours in each domain
- Minimum of 20 hours in mental health and other co-occurring conditions
- Minimum of 135 hours in substance use disorders

Experience: 4,000 hours specific to the domains

- Accrues upon completion of degree and training/education requirements
- Must be completed within 2-6 years of starting the supervised work experience

Supervision: 100 hours of clinical supervision

- Minimum of 10 hours of supervision per domain

Signed code of ethics

Examination: Pass the IC&RC ADC examination upon completion of all other standards

Recertification: 40 hours of CEUs every two years

Herdman commented that IC&RC had stated the degree could be in any area and the same education could be used to meet the domains and the substance use disorders area. As far as experience, Herdman had asked about substitution of a master's degree for some work experience hours and they indicated they would look into that. When asked about experience being completed in 6 years and what if that did not happen, it was indicated that individual boards had options. Herdman stated she had expressed on the call a concern about not being able to test until after all other standards were met as it would delay the time period for being credentialed and there were other professions that allowed examinations to be taken while the individual was still in graduate school.

Robinson will be attending the IC&RC annual meeting this month and will provide information on the debate and discussion at the next Board meeting.

c. Meeting Dates for 2015

The Board agreed to the following meetings for 2015: 1-8, 4-9, 7-9 and 10-8.

Lewis was presented with a plaque for her years of service on the Board as her term will be expiring on 11-30-14. Appreciation was expressed by several members for all the input and insight she had provided and her active participation. Lewis expressed that it was an honor and privilege to serve on the Board and it was a great experience.

9. ADJOURNMENT

The chair declared the meeting adjourned at 12:49 p.m.

Respectfully Submitted,

Jay Conrad, Secretary
Board of Alcohol and Drug Counseling

Next Meeting: January 8, 2015

Recorded by: Nancy Herdman
Health Licensing Coordinator - Licensure Unit